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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,329	01/10/2001	Christine Park Burke	QCPA990463	9122

23696 7590 08/30/2005

Qualcomm Incorporated  
Patents Department  
5775 Morehouse Drive  
San Diego, CA 92121-1714

EXAMINER

JAMAL, ALEXANDER

ART UNIT PAPER NUMBER

2643

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/758,329

Applicant(s)

BURKE ET AL.

Examiner

Alexander Jamal

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 9-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. Based upon the submitted amendment by RCE (7-20-2005), the examiner notes that **claims 2,8** have been cancelled, claim 7 is amended and claims 13-21 have been added.
2. Examiner withdraws objection to the title.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1,3-7,9-12** rejected under 35 U.S.C. 103(a) as being unpatentable over Isensee et al. (5815153), and further in view of Wang et al. (6161134).

As per **claim 1**, Isensee discloses a telephone system comprised of a dialer (computer system and modem in Col 3 line 34 to Col 4 line 27, and Col 11 lines 4-21) that receives graphical information and converts the graphical information into a dial signal. The dialer further comprises a touch screen and stylus (Col 12 lines 49-67).

However, Isensee does not disclose that the stylus is used with a touch screen to graphically enter in numbers that are converted into dial signals

Wang discloses an integrated computer telephone device (abstract) with input means comprising a stylus and touchpad to graphically enter in telephone numbers that are then converted to computer recognizable characters which are then converted to dial signals (Wang: Col 38 line 65-68). It would have been obvious to one of ordinary skill in the art at the time of this application to include the graphical telephone number entry means via the stylus of Isensee for the advantage of providing the user with an additional means to input telephone numbers.

As per **claim 3**, claim rejected for same reasons as rejection of claim 1. The dialer system will receive a sequence of characters and convert them to dial signals.

As per **claim 7**, claim rejected as a method performed by the system in the rejections of claims 1 and 3.

As per **claims 13,20,21**, claims rejected for same reasons as claim 1,3,7 rejections.

As per **claims 4,5,9,10,11,14,15,17,18,19**, the dialer includes means to convert alpha characters to associated numeric characters, and then to dial the signal out (Isensee: Col 3 lines 36-50). Additionally, with the stylus graffiti function, a telephone number

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would be converted from a graphical character to a character recognized by the dialing computer of Isensee, and then to a dial signal recognized by the telephone network.

As per **claim 6,12,16**, if the alpha character is a pause character, then the system will convert the character into a pause dial signal (Isensee: Col 3 lines 33-37).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498. The examiner can normally be reached on M-F 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499. The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

  
CURTIS KUNTZ  
REGISTRY PATENT EXAMINER  
REGISTRY CENTER 2600

AJ  
August 23, 2005